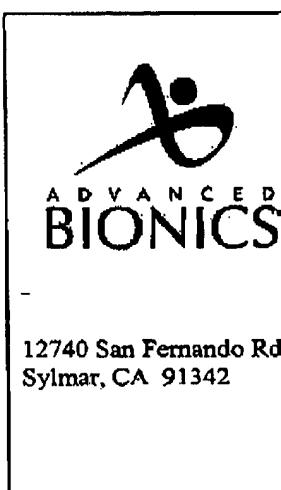


OFFICIALRECEIVED
CENTRAL FAX CENTER

AUG 17 2004

**FAX TRANSMITTAL**

To: US Patent & Trademark Office
 Examiner Joseph S. Machuga, Art Unit 3762,
 phone (703) 305-6184
 Fax: (703) 872-9306
 From: Laura Haburay Bishop
 phone (661) 362-1906
 fax (661) 362-1507
 Date: August 17, 2004
 Pages: Eleven (11), Including Cover Page
 Re: Amendment Under 37 CFR 1.116 for S/N
 09/929,597, filed 08/13/2001 (August 13,
 2001); Attorney Docket No.: AB-126U

**Certificate of
Transmission**

I hereby certify this correspondence,
 including the papers listed, is being
 facsimile transmitted to the
 U.S. Patent and Trademark Office,
 Fax. No. (703) 872-9306

on this date: August 17, 2004Typed Name: Karyn M. Murray

Signature:

Date: 2004 Aug 17**MESSAGE:**

Please find attached:

- Amendment Transmittal Letter, including authorization to charge \$110 to Deposit Account (1 page); and
- Amendment Under 37 CFR 1.116, responding to a final Office Action mailed April 19, 2004, for Application Serial Number 09/929,597 (9 pages).

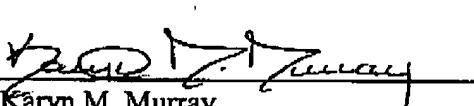
Thank you.

Please Acknowledge Receipt of This Communication.

CONFIDENTIALITY NOTICE

The documents accompanying this transmission may contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosures, copying, distributions, or the taking of any action in reliance on the contents of this telefaxed information is strictly prohibited.

If you received this communication in error, please call (661) 362-1906 to report such error. To communicate with us by FAX, please dial (661) 362-1507. We receive fax transmissions automatically, 24-hours a day.

AMENDMENT TRANSMITTAL LETTER				Attorney Docket No: AB-126U		
Application Serial Number: 09/929,597		Filing Date: 8/13/2001		Examiner: Joseph S. Machuga		Group Art Unit: 3762
Title: Fully Implantable Microstimulator for Spinal Cord Stimulation as a Therapy for Chronic Pain						
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	21	MINUS	24	0	\$18	\$0
INDEP. CLAIMS	3	MINUS	3	0	\$84	\$0
<input checked="" type="checkbox"/> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>4/19/2004</u> to and through <u>8/17/2004</u> , comprising an extension of the shortened statutory period of: <input checked="" type="checkbox"/> one month (\$110) <input type="checkbox"/> three months (\$930) <input type="checkbox"/> two months (\$410) <input type="checkbox"/> four months (\$1,450)						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						
<input checked="" type="checkbox"/> Charge \$ 110.00 to Deposit Account <u>50-0648</u> .						
<u>2004 Aug 17</u> Date		 Laura Haburay Bishop Reg. No. 47424				
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on <u>August 17, 2004</u> .						
 Karyn M. Murray						

OFFICIAL

Docket No.: AB-126U

**RECEIVED
CENTRAL FAX CENTER****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

AUG 17 2004

Appl. No.: 09/929,597
 Conf. No.: 9184

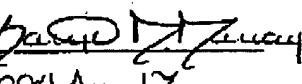
Applicants: Whitehurst, et al.
 Filed: August 13, 2001
 TC/A.U.: 3762
 Examiner: Joseph S. Machuga

Title: Fully Implantable Microstimulator for
 Spinal Cord Stimulation as a Therapy for
 Chronic Pain

Docket No.: AB-126U
 Customer No.: 23845

Certificate of Transmission or Transmission
 I hereby certify that this correspondence is being
 deposited with the U.S. Postal Service with sufficient
 postage for first class mail in an envelope addressed
 to Commissioner for Patents, P.O. Box 1450,
 Alexandria, VA, 22313-1450, or is being facsimile
 transmitted to the U.S. Patent and Trademark Office,
 on this date: August 17, 2004

Typed Name: Karyn M. Murray

Signature: 
 Date: 2004 Aug 17

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL
EXPEDITED HANDLING REQUESTED**

Amendment Under 37 CFR 1.116

Dear Examiner:

This amendment responds to the final Office action mailed April 19, 2004 (Paper #7) for the above-identified application, in which claims 1, 3, 7-18 and 21-24 were rejected. An extension fee for response within the first month is being submitted concurrently herewith.

By way of the present amendment, claims 1, 2, 17, 19 and 20 have been amended. Twenty one (21) claims remain pending in the application, claims 1-3 and 7-24, of which claims 1, 17 and 20 are independent. Applicants submit that this Amendment places the claims in condition for allowance and/or in better form for consideration on appeal. It is earnestly requested that this Amendment be considered and entered.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Application Number 09/929,597
 Amendment dated August 17, 2004
 Reply to Office Action mailed April 19, 2004

Page 1 of 9